

1. (1) This Regulation may be called the Cochin Contempt of Courts
Short title, extent and Regulation of 1111.
commencement.

(2) It shall extend to the whole of Cochin.

(3) It shall come into force at once.

Clause put and carried.

Mr. President.—The question is that the Title and preamble stand part of the Bill.

THE COCHIN CONTEMPT OF COURTS BILL

Whereas it is found expedient to confer further powers on the Chief Court to punish contempts of Court, it is hereby
Preamble, enacted as follows:—

Title and preamble put and carried.

Mr. Thomas Manjuran.—I beg to move that the Bill be taken up and finally passed tomorrow.

Motion put and carried.

The Cochin Trade Unions Bill.

Mr. Thomas Manjuran.—I beg to present the Select Committee Report on the Cochin Trade Unions Bill. The Bill has not been modified by the select committee and I do not think any statement is necessary in regard to it. I beg to move that the Bill as reported by the select Committee be taken into consideration.

Motion put and carried.

Mr. President.—The question is that Clauses 2 to 15 stand part of the Bill.

2. In this Regulation, unless there is anything repugnant in the subject
Definitions. or context.

(a) "executive" means the body, by whatever name called, to which the management of the affairs of a Trade Union is entrusted;

(b) "officer" in the case of a Trade Union, includes any member of the executive thereof, but does not include an auditor;

(c) "prescribed" means prescribed by rules made under this Regulation;

(d) "Registered office" means that office of a Trade Union which is registered under this Regulation as the head office thereof;

(e) "Registered Trade Union" means a Trade Union registered under this regulation;

(f) "Registrar" means a Registrar of Trade Unions appointed by the Government under section 3;

(g) "Trade dispute" means any dispute between employers and workmen, or between workmen and workmen, or between employers and employers which is connected with the employment or non-employment, or the term of employment or the condition of labour, of any person, and "workmen" means all persons employed in trade or industry whether or not in the employment of the employer with whom the trade dispute arises; and

(h) "Trade Union" means any combination, whether temporary or permanent formed primarily for the purpose of regulating the relations between workmen and employers or between workmen and workmen, or between employers and employers, or for imposing restrictive conditions on the conduct of any trade or business, and includes any federation of two or more Trade Unions;

Provided that this Regulation shall not affect. —

(i) any agreement between partners as to their own business;

(ii) any agreement between an employer and those employed by him as to such employment; or

(iii) any agreement in consideration of the sale of the good will of a business or of instruction in any profession, trade or handicraft.

CHAPTER II.

Registration of Trade Union.

3. The Government shall appoint a person to be the Registrar of Trade Unions for Cochin.

Appointment of Registrars.

4. Any seven or more members of a Trade Union may, by subscribing their names to the rules of the Trade Union and by otherwise complying with the provisions of this Regulation with respect to registration, apply for registration of the Trade Union under this Regulation.

Mode of Registration.

5. (1) Every application for Registration of a Trade Union shall be made to the Registrar, and shall be accompanied by a copy of the rules of the Trade Union and a statement of the following particulars, namely. —

(a) the names, occupations and addresses of the members making the application;

(b) The name of the Trade Union and the address of its head office; and

(c) the titles, names, ages, addresses and occupations of the officers of the Trade Union.

(2) Where a Trade Union has been in existence for more than one year before the making of an application for its registration, there shall be delivered to the Registrar, together with the application, a general statement of the assets and liabilities of the Trade Union prepared in such form and containing such particulars as may be prescribed.

6. A Trade Union shall not be entitled to registration under this Regulation, unless the executive thereof is constituted in accordance with the provisions of this Regulation and the rules thereof provide for the following matters, namely,—

- (a) the name of the Trade Union;
- (b) the whole of the objects for which the Trade Union has been established;
- (c) the whole of the purposes for which the general funds of the Trade Union shall be applicable, all of which purposes shall be purposes to which such funds are lawfully applicable under this Regulation;
- (d) the maintenance of a list of the members of the Trade Union and adequate facilities for the inspection thereof by the officers and members of the Trade Union;
- (e) the admission of ordinary members who shall be persons actually engaged or employed in an industry with which the Trade Union is connected, and also the admission of the number of honorary or temporary members as officers required under section 22 to form the executive of the Trade Union;
- (f) The conditions under which any member shall be entitled to any benefit assured by the rules and under which any fine or forfeiture may be imposed on the members;
- (g) the manner in which the rules shall be amended, varied or rescinded;
- (h) the manner in which the members of the executive and the other officers of the Trade Union shall be appointed and removed;
- (i) the safe custody of the funds of the Trade Union, an annual audit, in such manner as may be prescribed, of the accounts thereof, and adequate facilities for the inspection of the account books by the officers and members of the Trade Union; and
- (j) the manner in which the Trade Union may be dissolved.

7. (1) The Registrar may call for further information for the purpose of satisfying himself that any application complies with the provisions of section 5, or that the Trade Union is entitled to registration under section 6, and may refuse to register the Trade Union until such information is supplied.

(2) If the name under which a Trade Union is proposed to be registered is identical with that by which any other existing Trade Union has been registered or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public or the members of either

Trade Union, the Registrar shall require the persons applying for registration to alter the name of the Trade Union stated in the application, and shall refuse to register the Union until such alteration has been made.

8. The Registrar, on being satisfied that the Trade Union has complied with all the requirements of this Regulation in regard to registration, shall register the Trade Union by entering in a register, to be maintained in such form as may be prescribed, the particulars relating to the Trade Union contained in the statement accompanying the application for registration.

9. The Registrar, on registering a Trade Union under section 8, shall issue a certificate of registration in the prescribed form which shall be conclusive evidence that the Trade Union has been duly registered under this Regulation.

10. A Certificate of Registration of a Trade Union may be withdrawn or cancelled by the Registrar—
Cancellation of registration.

(a) on the application of the Trade Union to be verified in such manner as may be prescribed; or

(b) if the Registrar is satisfied that the certificate has been obtained by fraud or mistake, or that the Trade Union has ceased to exist or has wilfully and after notice from the Registrar contravened any provision of this Regulation or allowed any rule to continue in force which is inconsistent with any such provision; or has rescinded any rule providing for any matter, provision for which is required by section 6:

Provided that not less than two months' previous notice in writing specifying the ground on which it is proposed to withdraw or cancel the certificate shall be given by the Registrar to the Trade Union before the certificate is withdrawn or cancelled otherwise than on the application of the Trade Union.

11. (1) Any person aggrieved by any refusal of the Registrar to register a Trade Union or by the withdrawal or cancellation of a certificate of registration may, within such period as may be prescribed, appeal to the principal Civil Court of original jurisdiction, as the Government may appoint in this behalf for the area.

(2) The appellate Court may dismiss the appeal, or pass an order directing the Registrar to register the Union and to issue a certificate of registration under the provisions of section 9 or setting aside the order for withdrawal or cancellation of the certificate, as the case may be, and the Registrar shall comply with such order.

(3) For the purpose of an appeal under sub-section (1) an appellate Court shall, so far as may be, follow the same procedure and have the same powers as it follows and has when trying a suit under the Code of Civil Procedure and may direct by whom the whole or any part of the costs of the appeal shall be paid and such costs shall be recovered as if they had been awarded in a suit under the said Code.

(4) In the event of the dismissal of an appeal by any Court appointed under clause (1) the person aggrieved shall have a right of appeal to the Chief Court, and the Chief Court shall, for the purpose of such appeal, have all the powers of an appellate Court under sub-sections (2) and (3), and the provisions of those sub-sections shall apply accordingly.

12. All communications and notices to a registered Trade Union may be addressed to its registered office. Notice of any change in the address of the head office shall be given within fourteen days of such change to the Registrar in writing, and the changed address shall be recorded in the register referred to in section 8.

(13) Every Registered Trade Union shall be a body corporate by the name under which it is registered, and shall have perpetual succession and a common seal with power to acquire and hold both movable and immovable property and to contract, and shall by the said name sue and be sued.

14. The following Regulations, namely,--

- (a) the Regulation for the registration of Literary, Scientific and Charitable Societies in Cochin, II of 1088;
- (b) the Cochin Co-operative Societies Regulation, IV of 1088;
- (c) the Cochin Provident Insurance Societies Regulation, II of 1110;
- (d) the Indian Companies Act, as made applicable to Cochin by His Highness the Maharaja's Proclamation dated the 19th day of Thulam 1097,

shall not apply to any registered Trade Union, and the registration of any such Trade Union under any such Regulation shall be void.

CHAPTER III.

Rights and liabilities of Registered Trade Unions.

15. The general funds of a Registered Trade Union shall not be spent on any other objects than the following, namely,--

- (a) the payment of salaries, allowances and expenses to officers of the Trade Union;
- (b) the payment of expenses for the administration of the Trade Union, including audit of the accounts of the general funds of the Trade Union;
- (c) the prosecution or defence of any legal proceedings to which the Trade Union or any member thereof is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Trade Union as such or any rights arising out of the relations of any member with his employer or with a person whom the member employs;

- (d) the conduct of trade disputes on behalf of the Trade Union or any member thereof;
- (e) the compensation of members for loss arising out of trade disputes;
- (f) allowances to members or their dependants on account of death, old age, sickness, accidents or unemployment of such members;
- (g) the issue of, or the undertaking of liability under, policies of assurance on the lives of members or under policies insuring members against sickness, accident or unemployment;
- (h) the provision of educational, social or religious benefits for members (including the payment of the expenses of funeral or religious ceremonies for deceased members) or for the dependants of a member;
- (i) the up-keep of a periodical published mainly for the purpose of discussing questions affecting employers or workmen as such;
- (j) the payment, in furtherance of any of the objects on which the general funds of the Trade Union may be spent, of contributions to any cause intended to benefit workmen in general, provided that the expenditure in respect of such contributions in any financial year shall not at any time during that year be in excess of one-fourth of the combined total of the gross income which has up to that time accrued to the general funds of the Trade Union during that year and of the balance at the credit of those funds at the commencement of that year; and

(k) subject to any conditions contained in the notification any other object notified by the Government in the Cochin Government Gazette.

Clauses put and carried.

Mr. President.—The question is that clause 16 Stand part of the Bill.

Mr. K. M. Ibrahim.—*Mr. President, the amendment that I want to move is "Rename Section 16 of the Bill as 16. A- and add a new section after it as '16. B.' Purely rural labour Trade Unions (non-factory) shall be provided by the Government immediately after their registration, with a starting capital, at a rate of not less than four annas per every member of such unions, provided the Government are entitled to recover the same without interest only at the time of the dissolution of the Unions."*

I hope, Sir, that the amendment is self-speaking and does not require much elucidation from me. The point is, Sir, so far as the labour trade unions of village parts are concerned, I am asking for a preferential treatment from the Government that they should not deal with them as they deal with the factory labour trade unions inasmuch as the rural labourers are very much unorganised and inasmuch as their financial capacity is very limited and inasmuch as there have been no protection

whatsoever from the side of the Government ever so long in the matter, I am pleading for a special protection and that too with a pittance of four annas for every member of the rural labour organisation. This point, Sir, I have made clear in the select committee as well as in that portion of my dissenting minute which refers to it. I may just for the information of the Hon'ble Members who might not have read this, re-read it and I will give just a history of the thing that has happened in the Select committee. "All the non-official members of the select committee seemed to fall in with the proposal. But the President entertained a doubt that the provision might trespass beyond the scope of the bill. I am constrained to treat this apprehension as one expressed in the absence of sufficient notice for consideration." The statement of objects and reasons of the Bill reads thus:— "The Government find that it has become expedient to encourage the growth and protect the interests of bona fide trade unions. This Bill is intended to implement the idea." 16-B is in entire agreement to this object of the Bill."

And I have made a comment: "Legalisation of rights already realised in actual practice, is not going to help the working population very much. If we want to help them let us help them in right earnest. The proposed provision by section 16-B is a very moderate one. The factory labourers have been excluded from its operation out of regard for the limited finances of the Government and by an analysis of comparative importance. One of the weakest points of the Member for Cranganur is his over-anxiety for the finances of the Cochin Government, though he holds that no civilised Government can plead want of funds against public utility. The pittance of 4 annas per every member of the rural organisation will not bring in its train any abnormal financial commitments to the Government incommensurate with the abnormal service that the provision is sure to produce."

I hope, Sir, that the amendment which I seek to get passed in this House does not require greater light than this.

Mr. K. M. Kunhi Moideen.—I second it.

Mr. Thomas Manjuran.—Government regret their inability to accept this amendment which seems to be of a very novel nature. I wonder if any Government anywhere has introduced such a provision in its trade unions bill; and I wonder again whether the Hon'ble Member who moved this amendment has carefully scrutinised the provision contained in section 16. There is absolutely no compulsion that any amount at all should

be contributed by any member of the trade union. The only thing is that a non-contributing member will not get control of trade union funds. I can understand a plea like this being advanced by my Hon'ble friend, if, in the absence of this pittance of 4 annas as the Hon'ble Member characterises it, labourers would be so badly jeopardised as to justify the interference of the Government on this behalf. As it is, if they do not contribute, they do not get control of union funds, nothing more, nothing less. I shall read clause (3) of section 16 for the information of the House. "No member shall be compelled to contribute to the fund constituted under sub-section (1) and a member who does not contribute to the said fund shall not be excluded from any benefit from the trade union or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the trade union (except in relation to the control or management of the said fund) by reason of his not contributing to the said fund; and contribution to the said fund shall not be made a condition for admission to the trade union."

Mr. President.—The object of the Hon'ble Member is to secure capital for the labour union.

Mr. Thomas Manjuran.—A trade union does not require such a capital. It is a very good idea to have capital. There is nothing to prevent the labourers from making small contributions, a little pittance as the Hon'ble Member would say. But the question now before the House is whether in the interests of trade unions and in the interests of the labourers whose interests the Trade Unions Bill seeks to foster, there is any case made out for the Government making contributions. I submit that no case has been made out. I really fail to understand why any contribution at all should be made by Government. Can it be that in Cochin a labourer cannot put by four annas once in his life-time to create that little fund? I repeat that the Trade Union Bill does not require that and the Government regret that they cannot accept this amendment.

Mr. K. M. Ibrahim.—Mr. President, Sir, it is no wonder that anything coming from this side is novel to an anti-Government. This is a stock adjective that is ready in the pockets of the Hon'ble Member and I remember to have heard it a hundred times during the few sessions of this Council and I do not attach any great importance to it. The Hon'ble Member thinks that a generalisation that no case has been made out is a conclusive proof for his unwarranted statement. I had, Sir, during the committee stage as well as during my opening speech in the Council just touched on the necessity of the special protection to the rural labourers and I was referring to

the economic disadvantages and disabilities under which the rural labourers are being troubled. It is a well known fact that the rural labourers can command no capital for any fruitful work. It was simply by a comparative analysis and by the financial commitments the Cochin Government might be involved in that I reduced this protection to the agricultural labourers and the Hon'ble Member has completely misunderstood the position by saying that what I meant was that the rural labourers who get this 4 annas should have nothing more from their private pockets. That was not at all the idea. What I was saying is that the Government should help them in this particular way and in no way said that they were not to raise funds of their own accord for running such useful organisations. They are welcome to raise funds, they are welcome to apply for the help which they could expect from the public and get it and store it. What I wanted was that the Government should help them in such a small way. The only question now is, are the Government now prepared or not to help them. If the Government can bring in a Regulation like the State Aid to Industries to have big capitalists with great capital, to help the rich to become richer, I am asking the Government to help them with this poor pittance. So, the Hon'ble Member's position that no case has been made out for pleading for this protection is, according to my humble opinion, quite absurd. The Hon'ble Member did not understand my case. So, I request Hon'ble Members to show their sympathy and warmth to these afflicted sections of our rural labourers.

Motion put and lost.

Mr. K. M. Ibrahim.—A poll, Sir.

Ayes.

1. Mr. A. Eachara Menon.

4. Mr. K. M. Ibrahim.

2. Mr. V. K. Krishnankutty.

5. Mr. V. K. Kutty.

3. Mr. K. M. Kunjumoiden.

Noes.

1. Mrs. Meenakshi N. Menon.

8. Mr. A. Narayana Menon.

2. Miss. G. M. De'Sousa.

9. Mr. C. Viswanathan Chetty.

3. Mr. M. A. Sankunni.

10. Mr. A. Sankara Menon.

4. Mr. Krishnan Vaidyar.

11. Mr. K. Achutha Menon.

5. Mr. M. Sivarama Menon.

12. Mr. T. S. Narayana Ayyar.

6. Mr. K. S. Manickam.

13. Mr. M. P. Cherian.

7. Mr. M. V. Cherian.

14. Dr. D. Raghavendra Rao.

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| 15. Mr. Thomas Manjuran. | 20. Mr. P. V. Subramania Ayyar. |
| 16. Mr. I. N. Menon. | 21. Rama Varmah Tampuran. |
| 17. Mr. V. K. Aravindaksha Menon. | 22. Mr. K. Krishna Warriar. |
| 18. Mr. P. Neelakanda Menon. | 23. Mr. K. Narayana Menon. |
| 19. Mr. T. Narayana Menon. | 24. Dr. E. S. R. Menon. |

Neutrals.

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| 1. Mr. Shabdai S. Koder. | 7. Mr. P. Raman Menon. |
| 2. Mr. P. Kumaran Ezhuthassan. | 8. Mr. E. Ikkanda Warriar. |
| 3. Mr. C. S. Viswanatha Ayyar. | 9. Dr. A. R. Menon. |
| 4. Mr. K. Ayyappan. | 10. Mr. A. V. Moothedan. |
| 5. Mr. T. K. Nayar. | 11. Mr. P. J. Alexander. |
| 6. Mr. P. Govinda Menon. | 12. Mr. T. A. Balarama Ayyar. |

Mr. President.—5 for and 24 against. The amendment is therefore lost.

The question is that clause 16 stand part of the Bill.

16. (1) A Registered Trade Union may constitute a separate fund, from contributions separately levied for or made, to that fund, from which payments may be made, for the promotion of the civic and political interests of its members, in furtherance of any of the objects specified in sub-section (2).

Constitution of a separate fund for political purposes.

(2) The objects referred to in sub-section (1) are—

- (a) the payment of any expenses incurred, either directly or indirectly, by a candidate or prospective candidate for election as a member of the Legislative Council, Municipal Council or Panchayat, before, during or after the election in connection with his candidature or election; or
- (b) the holding of any meeting or the distribution of any literature or documents in support of any such candidate or prospective candidate; or
- (c) the maintenance of any person who is a member of the Legislative Council, Municipal Council or Panchayat; or
- (d) the registration of electors or the selection of a candidate for the Legislative Council, Municipal Council or Panchayat; or
- (e) the holding of political meetings of any kind, or the distribution of Political literature, or political documents of any kind.

(3) No member shall be compelled to contribute to the fund constituted under sub-section (1); and a member who does not contribute to the said fund shall not be excluded from any benefits of the Trade Union, or placed in any respect either directly or indirectly under any disability or at any disadvantage as compared with other members of the Trade Union (except in relation to the control or management of the said fund) by reason of his not contributing to the said fund; and contribution to the said fund shall not be made a condition for admission to the Trade Union.

Clause put and carried.

Mr. Thomas Manjuran.—Sir, I move that section 17 of the Bill be deleted and the remaining sections be re-numbered as 17—32 respectively. The reason why this amendment has become necessary is obvious to the Hon'ble Members. There is a clear reference in this section to the section of the Penal Code relating to conspiracy. Now, that the House has chosen to throw out the criminal law amending bill, moved yesterday, there is no option but to delete this section. It is on that account that I am moving this amendment.

Motion put and carried.

Mr. President.—The question is that Clauses 17 to 32 stand part of the Bill.

17. (1) No suit or other legal proceeding shall be maintainable in any Civil Court against any Registered Trade Union or any officer or member thereof in respect of any act done in contemplation or furtherance of a trade dispute to which a member of the Trade Union is a party on the ground only that such act induces some other person to break a contract of employment, or that it is in interference with the trade, business or employment of some other person or with the right of some other person to dispose of his capital or of his labour as he wills.

(2) A Registered Trade Union shall not be liable in any suit or other legal proceeding in any Civil Court in respect of any tortuous act done in contemplation or furtherance of a trade dispute by an agent of the Trade Union if it is proved that such person acted without the knowledge of, or contrary to express instructions given by, the executive of the Trade Union.

18. Notwithstanding anything contained in any other law for the time being in force an agreement between the members of a Registered Trade Union shall not be void or voidable merely by reason of the fact that any of the objects of the agreement are in restraint of trade:

Provided that nothing in this section shall enable any Civil Court to entertain any legal proceeding instituted for the express purpose of enforcing or recovering damages for the breach of any agreement concerning the conditions on which any members of a Trade Union shall or shall not sell their goods, transact business, work, employ or be employed.

19. The account books of a Registered Trade Union and the list of members thereof shall be open to inspection by an officer or member of the Trade Union at such times as may be provided for in the rules of the Trade Union.

20. Any person who has attained the age of fifteen years may be a member of a Registered Trade Union subject to any rules of the Trade Union to the contrary, and may, subject as aforesaid, enjoy all the rights of a member and execute all instruments and give all acquittances necessary to be executed or given under the rules.

Provided that no person who has not attained the age of eighteen years shall be an officer of any such Trade Union.

21. Not less than one-half of the total number of the officers of every Registered Trade Union shall be persons actually engaged or employed in an industry with which the Trade Union is connected:

Proportion of officers to be connected with the industry.

Provided that the Government may, by special or general order, declare that the provisions of this section shall not apply to any Trade Union or class of Trade Unions specified in the order.

22. Any Registered Trade Union may, with the consent of not less than two-thirds of the total number of its members and subject to the provisions of section 25, change its name.

Change of name.

23. Any two or more registered Trade Unions may become amalgamated together as one Trade Union with or without dissolution or division of the funds of such Trade Unions or either or any of them, provided that the votes of at least one-half of the members of each or every such Trade Union entitled to vote are recorded, and that at least sixty per cent of the votes recorded are in favour of the proposal.

Amalgamation of Trade Unions.

24. (1) Notice in writing of every change of name and of every amalgamation, signed in the case of a change of name, by the Secretary and by seven members of the Trade Union changing its name, and, in the case of an amalgamation, by the Secretary and by seven members of each and every Trade Union which is a party thereto shall be sent to the Registrar.

Notice of change of name or amalgamation.

(2) If the proposed name is identical with that by which any other existing Trade Union has been registered or, in the opinion of the Registrar, so nearly resembles such name as to be likely to deceive the public or the members of either Trade Union, the Registrar shall refuse to register the change of name.

(3) Save as provided in sub-section (2), the Registrar shall, if he is satisfied that the provisions of this Regulation in respect of change of name have been complied with, register the change of name in the register referred to in section 8, and the change of name shall have effect from the date of such registration.

(4) The Registrar shall, if he is satisfied that the provisions of the Regulation in respect of amalgamation have been complied with and that the Trade Union formed thereby is entitled to registration under section 6, register the Trade Union in the manner provided in section 8, and the amalgamation shall have effect from the date of such registration.

25. (1) The change in the name of a Registered Trade Union shall not affect any rights or obligations of the Trade Union or render defective any legal proceeding by or against the Trade Union, and any legal proceeding which might have been continued or commenced by or against it by its

Effects of change of name and of amalgamation.

former name may be continued or commenced by or against it by its new name.

(2) An amalgamation of two or more Registered Trade Unions shall not prejudice any right of any of such Trade Unions or any right of a creditor of any of them.

26. (1) When a registered Trade Union is dissolved, notice of the dissolution signed by seven members and by the Secretary of the Trade Union shall, within fourteen days of the dissolution be sent to the Registrar, and shall be registered by him if he is satisfied that the dissolution has been effected in accordance with the rules of the Trade Union, and the dissolution shall have effect from the date of such registration.

(2) Where the dissolution of a Registered Trade Union has been registered and the rules of the Trade Union do not provide for the distribution of funds of the Trade Union on dissolution, the Registrar shall divide the funds amongst the members in such manner as may be prescribed.

27. (1) There shall be sent annually to the Registrar, on or before such date as may be prescribed, a general statement, audited in the prescribed manner, of all receipts and expenditure of every Registered Trade Union during the year ending on the last day of Karkadagam next preceding such prescribed date, and of the assets and liabilities of the Trade Union existing on such last day of Karkadagam. The statement shall be prepared in such form and shall comprise such particulars as may be prescribed.

(2) Together with the general statement there shall be sent to the Registrar a statement showing all changes of officers made by the Trade Union during the year to which the general statement refers together also with a copy of the rules of the Trade Union corrected up to the date of the despatch thereof to the Registrar.

(3) A copy of every alteration made in the rules of a Registered Trade Union shall be sent to the Registrar within fifteen days of the making of the alteration.

CHAPTER IV. RULES.

28. (1) The Government may make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely—

(a) the manner in which the Trade Unions and the rules of Trade Unions shall be registered and the fees payable on registration ;

(b) the manner in which, and the qualifications of persons by whom, the accounts of Registered Trade Unions or of any class of such Unions shall be audited;

(c) the conditions subject to which inspection of documents kept by the Registrar shall be allowed and the fees which shall be chargeable in respect of such inspections; and

(d) any matter which is to be or may be prescribed.

29. (1) The power to make rules conferred by section 28 is subject to the condition of the rules being made after previous publication.

(2) The date to be specified in accordance with clause (3) of section 21 of the General Clauses Regulation, III of 1079, as that after which a draft or rules proposed to be made will be taken into consideration shall not be less than three months from the date on which the draft of the proposed rules was published for general information.

(3) Rules so made shall be published in the Cochin Government Gazette, and on such publication shall have effect as if enacted in this Regulation.

CHAPTER V.

PENALTIES AND PROCEDURE.

30. (1) If default is made on the part of any Registered Trade Union in giving any notice or sending any statement or other document as required by or under any provision of this Regulation every officer or other person bound by the rules of the Trade Union to give or send the same or, if, there is no such officer or person, every member of the executive of the Trade Union, shall be punishable with fine which may extend to five rupees, and in the case of a continuing default, with an additional fine which may extend to five rupees for each week after the first during which the default continues:

Provided that the aggregate fine shall not exceed fifty rupees.

(2) Any person who wilfully makes, or causes to be made, any false entry in, or any omission from, the general statement required by section 27 or, in or from any copy of rules or of alterations of rules sent to the Registrar under that section, shall be punishable with fine which may extend to five hundred rupees.

31. Any person who, with intent to deceive, gives to any member of a registered Trade Union or to any person intending or applying to become a member of such Trade Union any document purporting to be a copy of the rules of the Trade Union or of any alterations to the same which he knows, or has reason to believe, is not a correct copy of such rules or alterations as are for the time being in force, or any person who, with the like intent, gives a copy of any rules of an unregistered Trade Union to any person on the pretence that such rules are the rules of a Registered Trade Union, shall be punishable with fine which may extend to two hundred rupees.

32. (1) No court inferior to that of a Magistrate of the First Class shall try any offence under this Regulation.

(2) No court shall take cognizance of any offence under this Regulation, unless complaint thereof has been made by, or with the previous sanction of, the Registrar or, in the case of an offence under section 31, by the person to whom the copy was given, within six months of the date on which the offence is alleged to have been committed.

Clauses put and carried.

Mr. President.—The question is that Clause 1 stand part of the Bill.

CHAPTER I.

Preliminary.

1. (1) This Regulation may be called the Cochin Trade Unions Short title, extent and Regulation, of 1111. commencement.

(2) It extends to the whole of Cochin.

(3) It shall come into force on such date as the Government may, by notification in the Cochin Government Gazette, appoint.

Clause put and carried.

Mr. President.—The question is that the title and preamble stand part of the Bill.

THE COCHIN TRADE UNIONS BILL.

Whereas it is expedient to provide for the registration of Trade Unions and in certain respects to define the law relating to Registered Trade Unions in Cochin; it is hereby enacted as follows :—

Preamble.

Title and preamble put and carried.

Mr. Thomas Manjuran.—Sir, I move that the Bill may be taken up and finally passed tomorrow.

Motion put and carried.

The Cochin Newspapers Bill.

Mr. Thomas Manjuran.—Sir, I rise to move that the Newspapers Bill be taken up and passed.

Mr. A. Eachara Menon.—Sir, I would invite the attention of the President to this fact that during the course of the discussion on this Bill we may have to refer to the cases that are sub-judice now and it might not be allowed. In the Assembly, President Mr. Patel suo moto raised objection when the Public safety Bill was introduced.